

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 012-06 2121 GARDEN STREET MODIFICATION APRIL 12, 2006

## APPLICATION OF STEVE & TAMAR HANDELMAN, 2121 GARDEN STREET, APN 025-252-003, E-1 ONE FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2003-00748)

The 24,650 square foot project site is currently developed with a 7,500 square foot single family residence, detached storage, and a three-car garage. The proposed project involves "as-built" landscape amenities including a fountain, wall, entry pillars, and gates. The discretionary applications required for this project are <u>Modifications</u> to permit:

- 1. A fountain to be located within the required thirty-foot (30') front yard setback (SBMC §28.15.060); and,
- Walls, entry gates, and pillars to exceed three and one-half feet (3 ½') in height, when located within ten-feet (10') of the front lot line and twenty-feet (20') back along the driveway (SBMC §28.87.170).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305 (ENV2003-00748).

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, two people appeared to speak in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

- 1. Staff Report with Attachments, April 12, 2006.
- 2. Site Plans
- 3. Correspondence received in support of the project:
  - a. Barbara Sanchez, 328 E. Mission
  - b. Marilynn Jorgensen, 232 E. los Olivos
  - c. Suzanne Fairly-Green, 340 Old Mill Road
  - d. Thomas Alan
  - e. Susan Spieler, 1221 Garden Street
  - f. Heather Bryden, Neighbor
  - g. Patty Look Lewis

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## NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

Approved the "as-built" fountain, driveway wall and pillars, and entry gate wall located along the front lot line, making the finding that the Modification is necessary to secure an appropriate improvement and that the wall height does not violate the purpose and intent of the ordinance, as they do not reduce public safety and announces the formal entry, and with the condition that the pillars remain gate-free and the chain be removed.

This motion was passed and adopted on the 12th day of April, 2006 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.

Deana McMillion, Administrative/Clerical Supervisor,

Date

4-18-06

Staff Hearing Officer Secretary

## PLEASE BE ADVISED:

- 1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
- 2. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
- 3. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Architectural Board of Review (ABR) approval and then a building permit.
- 4. PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit. The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
- 5. Notice of Approval Time Limits: The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
  - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
  - b. The approved use has not been discontinued, abandoned or unused for a period of six months following the earlier of:

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- i. an Issuance of a Certificate of Occupancy for the use, or;
- ii. one (1) year from granting the approval.